

10/018,616

- 6 -

PC25027A

REMARKS

Reconsideration of the above application is respectfully requested.

There are 22 claims (claims 1-22) pending in this application. By this Amendment, Applicants have cancelled claims 3-22, amended claim 1 and added new claim 23. Upon entering this Amendment, the above application will contain 3 claims - amended claim 1, original claim 2 and new claim 23.

Applicants reserve the right to prosecute the subject matter of cancelled claims 4-22 in subsequent divisional applications.

In the Office Action, the Examiner rejected claims 1 and 3 under 35 U.S.C. § 102(b) as being anticipated by the following four references, and further rejected claim 2 as depending on claim 1.

- Al-Awar, et al., WO 98/08506
- Caplus Accession Number 1998:151085, abstract for Sugiyama et al., JP 10059801 (1998). Sugiyama discloses 1-(aminomethyl)-cyclopropane carboxylic acid, having a registry number 1391226-45-7.
- Caplus Accession Number 2002:696642, abstract for Shih et al., US patent Application Publication US2002128185 (2002). Shih discloses 1-(aminomethyl)-cyclopropane carboxylic acid, having a registry number 1391226-45-7.
- Caplus Accession Number 1992:105655 abstract for Ohno et al., Synlett (1991) 12, pp. 919-920. Ohno discloses 1-(aminomethyl)-cyclopropane carboxylic acid, having a registry number 1391226-45-7.

Each of the above references, refers to the compound 1-(aminomethyl)-cyclopropane carboxylic acid. Applicants have amended claim 1, which claims a genus of compounds of the structural formula I and the pharmaceutically acceptable salt of such compounds, to exclude the foregoing compound. Specifically, they have limited claim 1 to compounds of the formula I wherein at least one of R¹, R², R³ and R⁴ is other than hydrogen. Applicants submit that the subject matter of amended claim 1 is supported by multitude of compounds of the formula I that are named

10/018,616

- 7 -

PC25027A

or exemplified in the present application in which all of R^1 , R^2 , R^3 and R^4 are other than hydrogen. Eighty-one such compounds are named in the application, and the syntheses of nine of these compounds are exemplified.

Original claim 3 of the above application claims pharmaceutical compositions containing a compound or salt according to claim 1 and a pharmaceutically acceptable carrier. By this Amendment, Applicants have retained the subject matter of original claim 3 but have redrafted this claim, which depends from claim 1, as new independent claim 23. New claim 23 claims pharmaceutical compositions containing a compound selected from the genus of compounds having structural formula I, and a pharmaceutically acceptable carrier. Formula I of new claim 23 is identical to formula I of original claim 1. New claim 23, therefore, generically claims pharmaceutical compositions containing the compound 1-(aminomethyl)-cyclopropane carboxylic acid and a pharmaceutically acceptable carrier. However, new claims 23 does not claim the foregoing compound *per se*.

Applicants submit that new claim 23 is novel over each of the above cited references because none of these references refer to pharmaceutical compositions of any kind.

In view of the above amendments and arguments, Applicants submit that claims 1-2, as amended, and new claim 23 are novel over the cited references and respectfully request the above rejections under 35 U.S.C. § 102(b) be withdrawn.

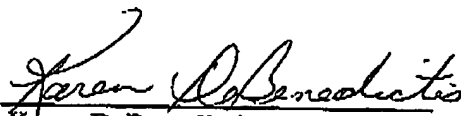
Applicants submit that the present application is in condition for allowance, said respectfully request that it be allowed to issue.

Applicants believe that no fee is due. However, authorization is hereby given to charge any fee required for entry of this paper to Deposit Account No. 23-0455.

Respectfully submitted,

Date: 6/8/05

By:


Karen DeBenedictis
Registration No. 32,977
Warner-Lambert Company LLC
2800 Plymouth Road
Ann Arbor, MI 48105
Tel.: (734) 622-3374
Fax: (734) 622-2928